

**SILVERMAN | ATTORNEYS
&ASSOCIATES | AT LAW**

March 3, 2020

VIA ECF

The Honorable Lisa Margaret Smith
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: *Fernando Santana v. Village of Dobbs Ferry, et al.*
Docket No.: 18 CV 10321 (KMK)(LMS)
Our File No.: 1020.099

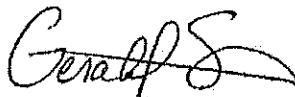
Dear Judge Smith:

We represent the Defendants in the above-captioned matter. Pursuant to the guidance offered by Your Honor during the February 27th conference, we contacted the Bare Hill Correctional Facility to confirm that Plaintiff will have access to the video footage we will provide to him in connection with this litigation. A representative from the Bare Hill facility subsequently informed us that a Court Order will assist them in this process. Accordingly, we have enclosed for Your Honor's review and consideration a proposed Order setting forth the conditions discussed at the February 27th conference.

Thank you for your attention to this matter.

Respectfully Submitted,

SILVERMAN & ASSOCIATES



Gerald S. Smith

Cc: **Via U.S. Mail**
Fernando Santana
Pro Se Plaintiff
DIN 19A1986
Bare Hill Correctional Facility Box 20
181 Brand Road
Malone, NY 12963

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FERNANDO SANTANA,

Plaintiff,

-against-

Docket No.: 18-cv-10321
(KMK)(LMS)

PROPOSED ORDER

VILLAGE OF DOBBS FERRY, LIEUTENANT MARTIN COSTER, DETECTIVE PORFIRIO RODRIGUEZ, DETECTIVE BRIAN HENNESSY, DETECTIVE JEFFREY JEE, OFFICER JUSTIN MUSCARELLA, OFFICER JULIUS DEREVJANIK, OFFICER JOSEPH PALLADINO, OFFICER JAMIEL CASTIELLO, and OFFICER ROBERT MARRON, sued in their official capacities,

Defendants.

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WHEREAS, Plaintiff Fernando Santana (DIN 19A1986) ("Plaintiff"), who is a party to the above-captioned matter, is currently incarcerated in the Bare Hill Correctional Facility ("Bare Hill") in Malone, New York;

WHEREAS, Defendants intend to produce video footage evidence to Plaintiff as part of the discovery process in this case;

WHEREAS, in order to guarantee that Plaintiff has access to the video footage, It is hereby **ORDERED** that the Plaintiff's access to the footage shall be provided under the following conditions:

1. That Plaintiff be provided with access to a computer and/or any other equipment necessary to allow Plaintiff the ability to review the footage;
2. That Plaintiff be permitted to review the video footage on at least two occasions;

3. That Plaintiff be provided with a pencil and paper to take notes while viewing the video footage and that he be permitted to preserve any notes that he takes; and
4. That Plaintiff be permitted to start, rewind, and stop the video footage as necessary during each viewing.

SO ORDERED.

Dated: March 3, 2020
White Plains, New York



LISA MARGARET SMITH
United States Magistrate Judge

